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# KIRKLAND & ELLIS

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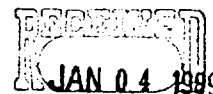
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January 3, 1989



## VIA FEDERAL EXPRESS

Mr. Larry Johnson  
Assistant Regional Counsel  
U.S. Environmental Protection  
Agency, Region V  
111 West Jackson Boulevard  
Chicago, Illinois 60604

Dear Larry:

Per our recent discussion, enclosed is a proposed set of corrections to the Consent Order. While I believe this is complete, we are still reviewing our notes and records to be certain. I'll call you later in the week to determine how to proceed from here.

Sincerely yours,

*John A. Zackrison*  
John A. Zackrison

JAZ:jyys

Enclosure

cc: Marvin Clumpus

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

MANVILLE SALES CORPORATION, INC.

Defendant.

CIVIL ACTION NO. 88-C-630

CONSENT DECREE ADDENDUM II:  
STIPULATED MODIFICATIONS

The parties hereby agree that the foregoing Consent  
Decree shall be modified as follows:

<u>Page</u> <u>No.</u>	<u>Paragraph</u>	<u>Line No.</u>	<u>Change</u>
13	1.	1	Change "(iii) on the effective date if" to "(iii) on or before the effective date if"
15	g.	6	Change "all waterways leading to" to "all active waterways leading to"
		8,9,10	Change "(ii) above will be deposited in the asbestos disposal pit and covered with soil in accordance with NESHAP requirements." to "(ii) above will be handled in accordance with the requirements of the (Amended) Remedial Work Plan."
18	2.	4	Change "TSP" to "PM <sub>10</sub> "
19	5.	6	Change "TSP" to "PM <sub>10</sub> "

<u>Page No.</u>	<u>Paragraph</u>	<u>Line No.</u>	<u>Change</u>
20	s.		Delete paragraph s (three lines)
21		5, 6, 7	Change "December 1989 (or 22 months after the date of remedial action start if it falls after June 1988)." to "May 31, 1990."
	2.	8	Change "U.S. EPA notice, subject" to "U.S. EPA notice, or by October 11, 1988, whichever is later, subject"
		12	Change "this Consent Decree." to "this Consent Decree and shall be submitted to the Court for incorporation into the record of this Decree."
25	B	4	Change "Manville shall submit these results" to "Manville shall submit summaries of these results"
26	A	6	Change "(2) include all results of sampling" to "(2) include summaries of all results of sampling"
27	A	9	Change "Part 300." to "Part 300, and by agreement with the parties may issue written instructions concerning implementation of this Decree which shall be binding upon the parties. If such instructions are construed to be inconsistent with this Decree and/or incorporated plans, then such instructions shall be deemed to be amendments to the same."
37		5	Change "(1) \$2,000 per day for the first week, and \$4,000 per day" to "(1) \$4,000 per day for the first week, and \$8,000 per day"

<u>Page</u> <u>No.</u>	<u>Paragraph</u>	<u>Line No.</u>	<u>Change</u>
46	XXI.	3	Add to end of paragraph "Any mutually agreed upon modifications of this Decree (including incorporated Plans) shall be submitted to the Court for inclusion in the official record of this Decree."

Date: \_\_\_\_\_

Agreed to this \_\_\_\_ day of January 1988 by Manville  
Sales Corporation.

**MANVILLE SALES CORPORATION**

By: \_\_\_\_\_

Date: \_\_\_\_\_